

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARIA BALLESTEROS, individually and on :
behalf of all others similarly situated, :

Plaintiffs, :

v. :

AMBULNZ NY, LLC, :

Defendant. :

Case No. 1:24-cv-06366-PKC

~~STIPULATION AND ORDER TO~~
~~STAY PROCEEDINGS PENDING~~
~~MEDIATION~~

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OF

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WHEREAS, Plaintiff Maria Ballesteros filed her Complaint on August 22, 2024;

WHEREAS, the summons and complaint were served on August 28, 2024, making Defendant Ambulnz NY, LLC's ("Ambulnz NY") original response date September 18, 2024;

WHEREAS, Ambulnz NY applied for, and the Court granted, an extension of time to November 18, 2024 to answer, move, or otherwise respond to the Complaint;

WHEREAS, Ambulnz intends to respond to the Complaint by filing a motion to dismiss under Fed. R. Civ. P. 12 on multiple grounds, although the parties have had several discussions regarding the potential for early resolution of this matter;

WHEREAS, the parties recently scheduled a mediation session for December 5, 2024 with a private mediator skilled in mediating cybersecurity cases such as this one;

WHEREAS, the parties agree that a stay of the case pending mediation—including staying the time for Ambulnz NY's expected motion to dismiss and an adjournment of the initial pretrial conference currently scheduled for December 9, 2024—will allow the parties to focus on mediation and is more efficient for both the parties and the Court;

IT IS HEREBY STIPULATED AND AGREED, by and among the parties through their undersigned counsel:

- The application for a stay of proceedings*
1. ~~This matter shall be stayed pending the parties' private mediation scheduled for December 5, 2024;~~ *is DENIED without prejudice to renewal at the December 9 conference*
 2. ~~The parties shall file a joint report to the Court on the results of mediation on or before December 19, 2024;~~ *The parties shall comply with the August 28, 2024 Order (ECF 5), including paragraphs 2 and 3.*
 3. ~~Should the parties be unable to resolve the case at or following mediation, the~~

~~parties shall include in their joint report to the Court referenced above a proposed schedule for the filing and briefing of Ambulnz NY's anticipated motion to dismiss.~~

Dated: October 23, 2024

By: 

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*Attorneys for Defendant
Ambulnz NY, LLC*

SO ORDERED:

This 23rd day of October, 2024


HONORABLE P. KEVIN CASTEL, U.S.D.J.